

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

DON BLANKENSHIP,

Plaintiff, CIVIL ACTION NO. 2:19-cv-00236
vs. (Hon. John T. Copenhaver, Jr., District Judge)
HONORABLE ANDREW NAPOLITANO ORDER
(RET.), et al.,
Defendants.

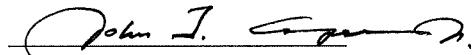
For the reasons set forth in the joint stipulation for dismissal without prejudice between Plaintiff Don Blankenship (“Plaintiff”) and Defendants Guardian News and Media, LLC; Hearst Magazine Media, Inc. d/b/a Esquire; The McClatchy Company; National Public Radio, Inc.; NowThis Media, Inc.; Salem Media Group, Inc. d/b/a TownHall; The 74 Media, Inc.; Vice Media LLC; Susan Davis; Kevin Mahnken; Ben Jacobs; Martin Pengelly; Charles Pierce; Ben Boychuk; and Matt Taylor (“Stipulating Defendants”), the Court finds good cause to grant the relief requested, and it is hereby

ORDERED that Stipulating Defendants Guardian News and Media, LLC; Hearst Magazine Media, Inc. d/b/a Esquire; The McClatchy Company; National Public Radio, Inc.; NowThis Media, Inc.; Salem Media Group, Inc. d/b/a TownHall; The 74 Media, Inc.; Vice Media LLC; Susan Davis; Kevin Mahnken; Martin Pengelly; Ben Jacobs; Charles Pierce; Matt Taylor; Ben Boychuk, and Bruce Biolarsky are DISMISSED WITHOUT PREJUDICE.

It is further ORDERED that Plaintiff and Stipulating Defendants shall each bear their own fees and costs; except that if Plaintiff re-files his action against any of the Stipulating Defendants, this waiver of fees and costs shall be null and void, and of no force or effect, as between Plaintiff and the Stipulating Defendants against which/whom Plaintiff re-files his action. Plaintiff and each of the Stipulating Defendants reserve any and all other rights.¹

SO ORDERED

DATED: August 19, 2019


Hon. John John T. Copenhaver, Jr.,
U.S. District Judge

¹ As agreed by the Stipulating Parties, in the event that Plaintiff Blankenship renews or brings any claims, lawsuits, causes of action, or any other proceedings against the Stipulating Defendants (or any of them) for the conduct and/or publications described in his First Amended Complaint, each of these Stipulating Defendants expressly reserves, and does not waive, any rights, claims, defenses, privileges, counterclaims, and remedies it/they may have, including without limitation any objections to the exercise of personal jurisdiction over them in the venue in which such proceedings are brought, any defenses based on the statutes of limitation, estoppel, and/or laches, and including the right to seek attorneys' fees incurred to date in connection with their defense of this action.